

USAWC STRATEGY RESEARCH PROJECT

**UNITED STATES AND CANADA:  
POST 9-11 RELATIONSHIP**

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The views expressed in this academic research paper are those of the author and do not necessarily reflect the official policy or position of the U.S. Government, the Department of Defense, or any of its agencies.

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## ABSTRACT

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International cooperation with Canada is needed for the United States to secure its national interest of Homeland Defense. 9-11 has set the stage for international cooperation and an attempt to harmonize homeland Security policies of both nations. The United States and Canada are working to provide an Integrated North America Defense for Homeland Security. The United States and Canadian governments are setting new long-term direction on international and defense policy which will ensure the safety and security of Americans and Canadians. This strategic research paper focuses on how Canada and the United States can strengthen their alliance to defeat global terrorism and work to prevent attacks against both nations. In light of September 11th, we must redefine our international relations with Canada.



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## PREFACE

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## UNITED STATES AND CANADA: POST 9-11 RELATIONSHIP

"A new wave of terrorism, potentially involving the world's most destructive weapons, looms in America's future. Our enemies are working to obtain chemical, biological, radiological and nuclear weapons for the purpose of wreaking unprecedented damage on America. Our enemies seek to remain invisible, lurking in the shadows."

—Joshua Kurlantzick

Part of this shadow-land is along the northern border we share with Canada. It extends along 5525 miles of land border and 95,000 miles of coastline. Once the United States and Canada boasted about sharing the world's longest undefended border. It was the most open of all international boundaries; now the U.S.-Canadian border must be acknowledged as a critical vulnerability in the war on terrorism. Canada now is home to many of the "terrorist groups in the world, a frightening statistic given that Canada has less than one-eighth the population of the United States. The possibility that one of these heavily armed and highly trained terrorists will cross the long, largely unprotected U.S.-Canada border and wreak havoc on the States is very real."<sup>1</sup> Protection of our borders involves knowing the source, the people, and the trade which crosses them. The United States hosts over 300,000,000 visitors each year. Trade of over \$475,000,000 a year crosses the northern border with Canada. In light of September 11<sup>th</sup>, we must redefine our international relations with Canada. "In essence, the volume of trade and personal interconnections, particularly between Canada and the United States, is such that security cooperation must begin before the borders are reached, or it will be too late."<sup>2</sup>

The United States now needs international cooperation with our northern neighbor in an attempt to "harmonize homeland security policies"<sup>3</sup> and to support our national security goals. The attacks of September 11<sup>th</sup> have filled both Americans and Canadians with a sense of apprehension. Both governments have worked hard to alleviate this anxiety. We have become two nations at risk to a new and changing threat. The terrorist threat to North America "takes many forms, has many places to hide, and is often invisible."<sup>4</sup> Terrorists seek to attack our democracies and our way of life. Homeland security is a shared responsibility with our northern neighbor. Unless both nations act to "prevent it, a new wave of terrorism potentially involving the world's most destructive weapons, looms in our future."<sup>5</sup> Our societies offer an infinite number of potential targets in major cities arrayed along the borders (Seattle, Vancouver, Detroit, Windsor, Niagara Falls). The range of catastrophic damage could very easily transcend borders.

## EXISTING RELATIONSHIP

Washington and Ottawa have enjoyed a highly developed security relationship for public safety, terrorism, crime and military defense for decades. For over sixty years, the military relationship has been based on reciprocal defense obligations. Canada and the United States have developed a degree of military cooperation unparalleled in the world. Outlined below are formal agreements that are in place.

There are currently over 80 treaty-level defense agreements, more than 250 memoranda of understanding and about 145 bilateral agreements in which defense matters are mentioned. The most important of these forums is the Permanent Joint Board on Defense established through the 1940 Ogdensburg Agreement to consider in the broad sense the defense of the northern half of the western hemisphere.<sup>6</sup>

This forum facilitates policy-level advice on bilateral defense matters and mutual security commitments. The North American Aerospace Defense Command (NORAD) remains the keystone and symbol of bilateral military cooperation for continental air defense. Since the 1950s the two countries have cooperated in the aerospace surveillance and defense of the continent.

In the 1990s, both countries recognized the importance of the cross-border region. They created several binational working groups between 1997 and 1999 to address border issues. These included the Border Vision Initiative focused on immigration and smuggling, a Cross-Border Crime Forum focused on law enforcement cooperation, and a broader Canada-U.S. partnership. However, the primary focus of U.S. border concerns shifted to Mexico in the 1990s to deal with illegal immigration and drug trafficking.

"One-third of American border enforcement agents were transferred from the northern to southern border. In the fall of 2001, some 832 U.S. border patrol agents and inspectors were assigned to the northern border, compared to over 9,500 assigned to the southern border."<sup>7</sup> Terrorism has forced both countries to review border security along the 49<sup>th</sup> parallel especially after the incident in December of 1999, when "U.S. authorities arrested Algerian terrorist Ahmed Ressam, an illegal resident in Canada, for attempting to enter the United States with bomb-making material."<sup>8</sup> Despite this long history of cooperation, recent events have begun to test this neighborly relationship.

In light of the continuing differences over the issue of missile defenses, U.S. unhappiness with the level of Canadian defense spending, and an American

decision after September 11 to reorganize its military forces in North America to better support Homeland security, some Canadians have argued that we are at a critical juncture in our bilateral defense relationship.<sup>9</sup>

## **UNITED STATES' PERSPECTIVE**

President Bush released his National Security Strategy (NSS) on September 17, 2002 and his National Strategy for Homeland Security (NSHS) on July 16, 2002. NSS proclaims that

in order to protect America, we know that to defeat terrorism in today's globalized world we need support from our allies and friends. This path is not America's alone. There is little of lasting consequence that the United States can accomplish in the world without the sustained cooperation of its allies and friends in Canada.<sup>10</sup>

Canada remains our closest neighbor and largest trading partner, but an unsecured border represents one of the U.S. greatest vulnerabilities. "For the most of our history, we in North America have lived in peace, untouched by attack –9-11 changed that."<sup>11</sup> This complacency made this type of attack unthinkable and our guard was down.

"The U.S. feels the distinction between domestic and foreign affairs is diminishing. In a globalized world, events beyond America's border have a greater impact inside them. Our society must be open to people, ideas, and goods from across the globe."<sup>12</sup> As the United States Government relies on the armed forces to defend America, it must rely on diplomacy to interact with other nations. In the past, the U.S. Department of State has taken the lead in managing our bilateral relationships, with other governments, but the Director of Homeland Security and NORTHCOM are negotiating bilateral agreements. This change has occurred with the establishment of a new Department of Homeland Security and new Northern Command (NORTHCOM), with redefinitions of their roles. This is the largest government reorganization since the Truman Administration creating the National Security Council and Department of Defense. It centers on a new Department of Homeland Security, a fundamental reordering of FBI, and created a new unified military command known as Northern Command (NORTHCOM), which covers the North American Continent.



## DEPARTMENT OF HOMELAND SECURITY

The new Department of Homeland Security has been tasked with a “greater accountability over critical homeland security missions and unity of purpose among the agencies responsible for them.”<sup>13</sup> The new Department of Homeland Security coordinates planning among civilian federal agencies as well as state and local agencies. This comprehensive plan to secure the homeland encompasses every level of government and fosters cooperation among the international, public and private sectors. This department consolidates agencies such as Coast Guard, the Immigration and Naturalization Service, the Transportation Security Agency, and 22 others in all, from five separate departments. It represents an unprecedented concentration of police powers at the federal level. The new cabinet-level department will become the third largest in the federal government in terms of manpower, with 170,000 workers.

## DEPARTMENT OF DEFENSE (DOD)

“While September 11<sup>th</sup> was a call for the military to do more with regard to homeland defense, defending the United States, of course, has been the number one priority of the U.S. military since the founding of the republic.”<sup>14</sup> The Constitution charges the Army and Navy with providing a common defense for a new nation. DoD has the lead role in conducting traditional military missions in defense of the people and the territory of the United States. “Combat air patrols and maritime defense operations are examples of such missions.”<sup>15</sup> Where normal measures are insufficient to carry out federal functions, the president will exercise his constitutional authority as commander in chief and chief executive to authorize military action in case of a terrorist attacks.

In addition, DoD provides support for emergency circumstances of a catastrophic nature. Responding to an attack or assisting in response to forest fires or floods, hurricanes, and tornadoes and other operations are examples of support other federal agencies. Outlined below is how DoD responds to a crisis or other events in a support role to the lead federal agency:

Emergency or Temporary circumstances in which other federal agencies take the lead, DoD lends support, are appropriately described as homeland security. The first is providing forces to conduct those traditional military missions under extraordinary circumstances. The second is to support the broader efforts of the federal domestic departments and agencies and indeed the state and local governments as coordinated by and in cooperation with the Office of Homeland Security under emergency conditions for special purposes.<sup>16</sup>

## NORTHERN COMMAND (NORTHCOM)

The Pentagon's 2002 Unified Command Plan (UCP) established a new Northern Command; this was prompted by the events of September 11<sup>th</sup> terrorists attacks. The creation of NORTHCOM implemented the largest change to the UCP since its inception in 1946. Under the new plan, all areas of the world will fall, for the first time, under combatant command responsibility with NORTHCOM as its centerpiece. "NORTHCOM will be devoted to defend the people and territory of the United States against external threats, and to coordinate the provision of U.S. military forces to support civil authorities. In addition, NORTHCOM will be responsible for certain aspects to security, cooperation and coordination with Canada and Mexico."<sup>17</sup> The activation of NORTHCOM on 1 October 2002 marks the first time a single military command has been charge with protecting the U.S. homeland since the days of George Washington. NORTHCOM has responsibility for the geographical region of North America, including operations in and around Mexico and Canada, as well as some parts of Caribbean Sea area, and waters of the Atlantic and Pacific oceans a minimum of 500 miles off shore. The Commander is dual-hatted as the combatant commander (NORTHCOM) and commander-in-chief of North American Aerospace Defense Command (NORAD). NORTHCOM has identified its mission as homeland defense and civil support, specifically to conduct operations to deter, prevent and defeat threats and aggressions against the United States, its territories, and interests within the assigned area of responsibility and, as directed by the President or Secretary of Defense, and to provide military assistance to civilian authorities including consequence management operations. NORAD and NORTHCOM will continue to work side by side, because Canada declined the merger with NORTHCOM .

## UNITED STATES HOMELAND SECURITY STRATEGY

The U.S. plan currently redefines the existing relationship with Canada to meet critical homeland security objectives. Both the National Security Strategy and the National Strategy for Homeland Security offer specific guidance to both our military and to the international community. The National Security Strategy adopts the international systems approach to protect against terrorism. The United States seeks to prevent future attacks and strengthen alliances with our northern neighbor through cooperative security. The **ends** sought by strengthening the U.S.-Canada alliance are to "defeat global terrorism and work to prevent attacks against us and our friends."<sup>18</sup> Additional goals foster international cooperation in the war on terrorism: Work with others to defuse regional conflicts; prevent our enemies from threatening us, our allies, and our friends with weapons of mass destruction; ignite a new era of

global economic growth through free markets and trade; and develop agendas and cooperative actions with other main centers of global power.

The strategic concepts embedded in the National Strategy for Homeland Security seek to “prevent terrorist attacks within the United States, to reduce America’s vulnerability to terrorism, to minimize any resultant damage, and to quickly recover from attacks that do occur.”<sup>19</sup> These strategic concepts (**ways**) will be achieved through increased cooperation with Canada in the areas of intelligence sharing, border security, critical infrastructure protection for transnational assets, anti-terrorism measures, early warning systems, and emergency response. These **ways** reveal that historically the U.S. has relied heavily on two vast oceans and Canada, a friendly neighbor, for border security. The two countries are part of a world-wide transportation net connected by seaports, airports, highways, pipelines, and railroads along the borders. Only through joint ventures can both countries benefit from the development of interconnected and complementary systems that ensure essential security requirements are met.

The U.S. plan on “forging new, productive international relationships and redefining existing ones in ways that meet the challenges of the 21<sup>st</sup> century”<sup>20</sup> is right on track with Canada (**a vital interest**). Both the U.S. National Security Strategy and Homeland Defense Strategy rely on military support and international cooperation. This interagency model shows the redefining of roles just among the U.S. players.

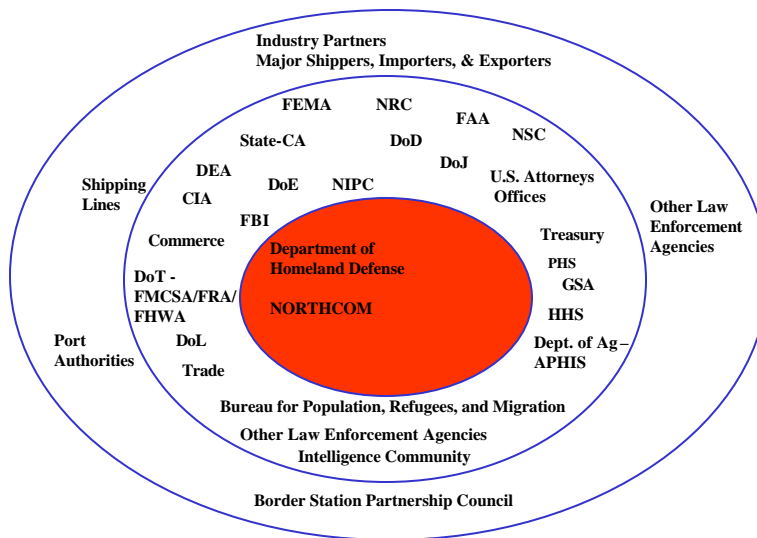


FIGURE 1: U.S. INTERAGENCY PLAYERS

Their **ends** depend on the United States and Canada strengthening their alliance to “defeat global terrorism and work to prevent attacks against us and our friends.”<sup>21</sup> The **means** reside in the United States International Cooperation tenets found within the National Strategy for Homeland Defense to create smart borders, to combat fraudulent travel documents, to increase security on international shipping containers, to intensify international law enforcement cooperation, to help foreign nations fight terrorism, to expand protection of transnational critical infrastructure, to amplify international cooperation on homeland security science and technology, to improve cooperation in response to attacks, and to review obligations to international treaties and law.

## VULNERABILITIES

Critical U.S. vulnerabilities are addressed by the standing up a new Department of Homeland Security, and establishment of the new Northern Command (NORTHCOM) to confront the Homeland Security/Homeland Defense issues while establishing new organizations. This reorganization was the outcome from the events of September 11<sup>th</sup>, and the inability of the federal government to establish unity of effort within the interagency, and poor communication and intelligence sharing at all levels of government. The Cold War theory was one of deterrence, dependent on conventional defense; the new theory for the Homeland is that the “best defense is a good offense,”<sup>22</sup> which requires transforming the military and use of pre-emptive strikes.

Constituents question if this new department of Homeland Security goes “well beyond policing the borders.” It reaches deep into American life, responsible for everything from coordinating disaster relief to tracking down foreigners working illegally in restaurants. Some experts claim this reorganization could prove controversial because it blurs the boundaries between gathering intelligence on foreigners and doing the same with American citizens. But a single voice in Congress opposes what amounts to gross violations of fundamental US Constitutional Principles: separation of powers, checks and balances, congressional oversight of the executive branch, and the right to privacy and freedom from government prying. “Effective coalition leadership requires clear priorities, an appreciation of others’ interest, consistent consultations among partners with a spirit of humility.”<sup>23</sup> The new command of NORTHCOM is legitimacy has also been under scrutiny in regards to the Posse Comitatus Act and the military serving in a law enforcement role.

The challenge is to develop interconnected and complementary systems for communications, information, and intelligence sharing within the federal, state and municipal

governments. Defending the Homeland is the most vital U.S. interest. The nation's first priority is to "disrupt and destroy terrorist organizations of global reach, and attack their leadership; command, control, communications, material support, and finances."<sup>24</sup>

## **CAPABILITIES**

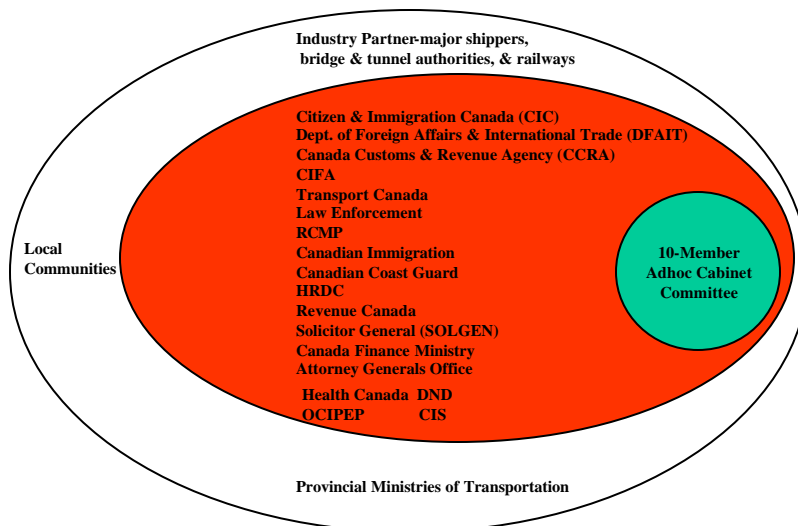
The most critical capability the United States has in the Defense of the Homeland is a strong military. The armed forces serve as an integral part of the national response to the terrorists attacks of September 11<sup>th</sup>. Second is the resources the federal government is willing to expend to defend and secure the Homeland. "The president has marshaled all of the nation's capabilities – political, economic, financial, law enforcement, military, intelligence – to attack and destroy and put pressure on terrorist organizations with global reach and those who harbor them."<sup>25</sup> This includes the development of "an IT architecture that has government-wide interoperability, as well as "integrated intelligence capabilities to provide timely, accurate information on threats."<sup>26</sup> Third, vast numbers of security personnel and first responders are prepared to secure and defend their cities, states and national treasures. The Federal Response Plan has well developed procedures and responses through consequence management, and crisis management of the effects of WMD, natural disasters and other terrorists attacks. Fourth, the private sector continues to work with the government in the protection of critical infrastructure. Finally, the U.S. will continue to strengthen nonproliferation efforts to prevent rogue states and terrorists and transnational actors from acquiring these weapons.

## **CANADA'S PERSPECTIVE**

Thirteen days after the release of the NSS on 30 September 2002, Prime Minister Chretien opened the Second Session of the Thirty-Seventh Parliament of Canada with a Speech from the Throne, during which he declared the "events of September 11 demonstrated our progress at home can be affected in a moment by world events. Canada wants to secure its place in North America."<sup>27</sup> His address then affirmed the need for continual work with the United States to ensure the safety and security of Canadians, to protect Canadians from emerging threats, and to address shared security needs. The Canadian government is now establishing a "long-term direction on international and defense policy that reflects their values and interests and ensures that Canada's military is equipped to fulfill the demands placed upon it."<sup>28</sup>

“Canadian foreign policy has traditionally pursued its interest and values through multilateralism and respect for international law, as well as through encouraging the U.S. engagement with the rest of the international community.”<sup>29</sup> Canada seeks “to advance those relations in ways that serve Canada’s sovereign interests, promote Canadian values, and enhance the long-term security and prosperity of Canadians.”<sup>30</sup> Canada continues to have concerns over their sovereignty and freedom to maneuver as they move toward continental integration with the United States. Canada will pursue “sovereign and mature partnership with North America which will best serve Canadians while commanding attention and respect on our own continent and beyond.”<sup>31</sup> Canada wants to keep its options open while pursuing partnerships that are for the long-term benefit of Canada, in comparison to the United States.

The structure of the Canadian government allowed it to react more quickly to the events of 9-11. On October 1, 2001, the Canadian government created an ad hoc 10-member Cabinet Committee dedicated to national security, chaired by the Foreign Affairs Minister. The committee reviewed policies, legislation, regulations and programs across the government spectrum to counter terrorism and ensure public security. “The Government passed sweeping anti-terrorism legislation and increased security related-spending, committing \$7 billion over five years to anti-terrorism and border security in its December 2001 Budget.”<sup>32</sup> Canada has not reorganized a new Homeland Security Department, but continues to work national security issues through the 10-member Cabinet Committees with representatives from Defense, Finance, Justice, Immigration, and Transportation.



## FIGURE 2: CANADIAN INTERAGENCY PLAYERS

The United States remains concerned about the strength and quality of Canada's military. "The Conference of Defense Associations released a study condemning Canada's armed forces as too weak to protect its own country, much less to aid NATO or NORAD allies."<sup>33</sup> The Canadian government does not favor missile defense or phasing out security controls along the Canada-U.S. border. Ottawa will continue to maintain policies different from the United States in key areas such as Immigration. Canada currently admits about 200,000 immigrants a year. Canada wants to consider

a combination of bilateral and trilateral approaches might best serve to advance Canadian interest in the future. They will concentrate on the critically important Canada-U.S. relationship and on the challenge of strengthening diplomatic and other channels of Canadian influence. They will pursue trilateral approaches that could involve new institutional arrangements, more intensive intergovernmental and parliamentary cooperation and practical measures undertaken jointly in particular cross-border policy sectors.<sup>34</sup>

Economic prosperity continues to be the central theme. Canada will always set its own goals and position priorities for future relations, "but these are unlikely to be realized without a sound appreciation of developments in the United States and Mexico."<sup>35</sup>

### CANADA'S PARTNERS IN NORTH AMERICA STRATEGY

The Partners in North America Strategy focuses on Advancing Canada's relations with the United States and Mexico. It addresses trade disputes, evolution of broader economics, and security concerns. In the wake of September 11<sup>th</sup>, the preliminary report focused on "North America issues in light of the new security environment."<sup>36</sup> Canadian Priorities for Advancing North American Relations stipulates three strategic concepts for "dealing with Canada's policy priorities in the North American context, beginning with those that have been most clearly affected by the aftermath of September 11."<sup>37</sup> Its **ends** are cooperative security and defense, managing and advancing the economic relationship, and enhancing bilateral and trilateral relations with the U.S.

The **ways** offer new approaches to strengthening the security environment in North America through bilateral or trilateral approaches to security, securing the borders, and Canada-United States cooperative defense. The **means** include the smart borders initiative, new

legislation, law enforcement and intelligence cooperation, and the NORAD Agreement. The Canadian Department of National Defense will be substantially supported with stable multi-year funding. Canada will monitor and oppose developments of U.S. Missile Defense Program, and the weaponization of outer space. They will also expand the mandate of the Permanent Joint Board on Defense to include relevant security issues and officials for both the US. and Canada, will develop bilateral plans to protect critical energy, telephone and other infrastructure shared by the two governments.

Following the attacks of September 11, the Canadian government introduced key pieces of legislation to protect Canadians against terrorist threats. These key measures provide the **means** to increase the government's capacity to prevent terrorist attacks, to protect Canadians, and to respond swiftly should a significant threat arise. These initiatives are supported by the Anti-Terrorism Act, Public Safety Act, and the Immigration and Refugee Protection Act.

## VULNERABILITIES

Canada remains critically vulnerable because of its inability to maintain forces in the region to combat terrorism and honor commitments made to the U.S. Government. The Canadian Government stopped short of "extending the Joint command structure used to protect America skies to military commands for troops on land and sea."<sup>38</sup> Unity of effort cannot be achieved when fighting the war on terrorism when there is a "growing backlash in centrist political circles in Canada against the military subordination to Washington."<sup>39</sup> The United States still has doubts whether its "regional partner can take up a coordinated effort to isolate the terrorists".<sup>40</sup> Discussions continue behind the scenes in Washington that could result in Canada being left out in cold in regards to continental defense and homeland security planning. In fighting the global war on terrorism and protecting its citizens at home, Canada needs to get beyond feelings of being unappreciated and "under-equipped junior partner in this superpower's global adventure."<sup>41</sup> Canada needs to reprioritize its vital interests from trade, prosperity and a social agenda to security of their own homeland and tighter immigration policies. With their liberal immigrations policies, Canada continues to attract and provide terrorists a haven to plot illegal entry and to harm the United States. It is critical that Canada does "its part to cooperate in preventing terrorism from penetrating the United States from the North."<sup>42</sup>

## CAPABILITIES

Post 9-11, Canada does need to be applauded for its enhancement of critical capabilities in securing the homeland. Secretary of the Department for Homeland Security, Thomas Ridge,



praised Canada for its anti-terror budget, and the government for allowing armed U.S. border guards to work in Canada. Early on, they passed anti-terrorism legislation, which has given law enforcement agencies greater latitude to use wiretaps, seize suspects and confiscate assets in terrorism investigations."<sup>43</sup> In addition, they took the necessary actions to reinforce security at the borders, to tighten investigation of applicants for political refugee status, and to stiffen security in processing passports. They have partnered with the U.S. to develop the Smart Borders Initiative and state-of-art security technologies.

## **COLLABORATIVE OUTLOOK**

The events of September 11<sup>th</sup>, 2001, changed the context of international relations between the United States, Canada, and the world. The attack against the United States evolved into a threat against our neighbor.

It is important that we recognize fully that any threat through terrorist acts or what have you to the continental United States, to American cities, to American commerce, or to the American economy is a fundamental threat to Canadian national interests and Canadian national security.<sup>44</sup>

The bilateral relationship between the U.S. and Canada is the most successful and extensive in the world. The United States has the most extensive defense arrangements and has maintained the highest level of security sharing and intelligence information with Canada. However, the distinction between domestic and foreign affairs is diminishing so new binational steering committees must tackle national security issues. In a globalized world, events now beyond America's borders have a greater impact inside and across them. Armed U.S. border guards and the military are now to allowed to work in Canada.

Prime Minister Jean Chretien stated that there are "three themes underpinning the Canada-United States relationship : being strong at home, being strong in partnerships, and being strong internationally. Our security and our prosperity are mutually dependent."<sup>45</sup> The three themes focus on our economies and trading partnerships, our security partnerships and our roles in the world. The Smart Borders initiative is the joint strategy to secure the borders.

## **SMART BORDERS -30 ACTION PLAN**

On December 12<sup>th</sup>, 2001, Homeland Security Director Thomas Ridge and Deputy Minister John Manley signed the United States and Canada Smart Borders Declaration, which committed our governments to working together to build a secure border through cooperation "along the longest non-militarized border in the world."<sup>46</sup> Border crossings must operate

efficiently and effectively under all circumstances. Both governments have aggressively implemented a detailed 30-point action plan of specific measures to secure and facilitate the free flow of people and commerce. The United States wanted to ensure that the “threat of terror would not undermine the security of our citizens or hold our economies hostage.”<sup>47</sup> At first, border security was dramatically tightened to identify terrorists, causing lengthy delays at border crossings with devastating effects for economies on both sides of the borders, costing \$1.3 billion - \$2 billion trade daily with Canada. “The United States and Canada have the largest trading relationship of any two countries in the world.”<sup>48</sup> The United States decided to work with our friends to the north on border initiatives that did not tie up commerce, but did tighten border security. With that goal in mind, both countries wanted to enhance security and at the same time facilitate commerce. For that reason, the Smart Border Agreement was drafted.

This agreement strengthens efforts to stop terrorists and their instruments of terror from entering the United States. Both countries host periodic meetings with binational steering groups to review progress regarding to the 30 actions from the plan outlined in the chart below. These interagency/international working groups continue to focus on a border for “the 21<sup>st</sup> century, a border open for business but closed to terrorists.”<sup>49</sup>

- |  |  |
|--|--|
| • Biometric Identifiers                | • Joint Facilities                             |
| • Permanent Resident Cards             | • Customs Data                                 |
| • Single Alternative Inspection System | • Intransit Container Targeting at Seaports    |
| • Refugee/Asylum Processing            | • Infrastructure Improvements                  |
| • Managing of Refugee/Asylum Claims    | • Intelligence Transportation Systems          |
| • Visa Policy Coordination             | • Critical Infrastructure Protection           |
| • Air Preclearance                     | • Aviation Security                            |
| • Advance Passenger Info/Name Record   | • Integrated Border & Marine Enforcement Teams |
| • Joint Passenger Analysis Units       | • Joint Enforcement Coordination               |
| • Ferry Terminals                      | • Integrated Intelligence                      |
| • Compatible Immigration Database      | • Fingerprints                                 |
| • Immigration Officers Overseas        | • Removal of Deportees                         |
| • International Cooperation            | • Counter-Terrorism Legislation                |
| • Harmonized Commercial Processing     | • Freezing of Terrorist Assets                 |
| • Clearance Away From the Border       | • Joint Training and Exercise                  |

TABLE 1: 30 ACTION PLAN

The United States National **vision** is to work with our key trading partner to create systems that allow us to verify the legitimacy of people and goods entering our country. Both countries want to tighten border security while ensuring that commerce is not interrupted. The Strategic **ends** are to defend “ the United States, the American people, and our interests at

home and abroad by identifying and destroying the threat before it reaches our borders.<sup>50</sup> Border and Transportation Security Division provide one of the **ways** to prevent terrorists attacks within the United States. The "Smart Borders" initiative provides the **means** to create a future border that will be a continuum framed by land, sea and air dimensions; a layered management system will offer greater visibility of vehicles, people, goods coming to and departing from the countries. This future border will provide greater security through better intelligence, coordinated national efforts, and unprecedented international cooperation against the threats posed by terrorists, the implements of terrorism, international organized crime, illegal drugs, illegal immigrants, cyber crime, and the destruction or theft of natural resources. The U.S. will work closely with Canada to increase security of our shared borders while facilitating commerce under terms of the North America Free Trade Agreement (NAFTA) and through expansion of the Free Trade Agreement of the Americas that is projected to be finalized in 2005.

When the gate is open to trade and people, there is major challenge for the law enforcement and border patrols to identify the random terrorist, criminal and drug trafficker. "Solidarity between Canada and United States is so profound and bedrock<sup>51</sup> that it can support when defending the homeland. Our security has benefited from excellent geography of two vast oceans and friendly neighbor to the north. We share of history of joint efforts through multiple bilateral agreements and MOAs, which include intelligence collection and analysis. They have expanded critical capabilities to work with allies to disrupt the financing of terrorism. Both countries continue to work with global coalitions on the War against Terrorism. In addition, both nations will use the their full range of influence with allies and friends to fight terrorism and protect our homeland. "Western Hemisphere has formed flexible coalitions to promote a democratic hemisphere which will move toward integrating security.<sup>52</sup>

## **RECOMMENDATIONS**

First, in the short term the United States/Canada alliance primarily focus on securing the borders while expediting trade. However, both countries continue to gamble on the identification of terrorists through random sampling. They recognize the "urgent need to enhance security in a way that strengthened the extraordinary trading relationship between our countries and prosperity that it provides our citizens."<sup>53</sup> This is due to the economic benefits of open markets and free cross border trading with our #1 trading partner. Current emphasis on secure borders is knocking the strategic plan out of balance by addressing only one component of a very complex international problem which integrates security and economics. "The United

States has learned that security measures cannot ignore economic concerns, while Canada has learned economic concerns do not trump security ones.<sup>54</sup> More work remains to realize the smart border initiative to establish a secure and efficient border tied to economic prosperity.

Second, International cooperation can only be better served by improved interagency cooperation. More emphasis should to be placed on improving cooperative security from both the Homeland Security and Homeland Defense camps. This can only be accomplished by the State Department serving as the one voice in bilateral agreements. Unity of effort is still in question and currently we have bilaterally agreements and negotiations being hosted by the Secretary of Homeland Defense, the Commander of NORTHCOM, and the multiple working groups of Smart Borders Initiative. The State Department needs to be more involved in the formulation of any new bilateral planning document or agreement which represents any component of a comprehensive-bilateral North America Defense and Homeland Security Strategy that goes beyond the charter of NORAD and incorporates the new Department of Homeland Security. NORAD currently is a binational command between the United States and Canada. NORAD provides mechanisms for aerospace defense. NORAD's mission can be changed only by agreement between the U.S. and Canadian governments. NORAD will not move under USNORTHCOM . Due to its nature as a bi-national command, NORAD will not become subordinate to USNORTHCOM, which will be a U.S.-only command. The United States will continue to work with Canada to expand beyond air defense, and to pursue land and sea cooperation under NORTHCOM. Critics and the international community are watching how the United States is responding to the events of 9-11.

Third, the current configuration of NORTHCOM does not appear to provide the unity of effort needed for dealing with the complex interagency working groups tackling Homeland Security and Homeland Defense issues. There are two camps: one in Washington and one in Colorado Springs. The one in Colorado Springs continues to report to the Pentagon, which works more directly with the Department of Homeland Security to approve support. Stove pipes continue with parent agencies wanting to stay in the game, with the establishment of the Department of Homeland Security and Northern Command, new rivalries have surfaced. It is no longer obvious that the State Department has the lead for bilateral agreements when Secretaries for the Departments of Homeland Security and Defense are negotiating the agreements leaving no interface with the State Department.

The fourth challenge is that the Canadian government views NORTHCOM as a United States Command, not an international bilateral entity. Only through the development of either a North America Defense Command or a Western Hemisphere Command can multinational

security cooperation be realized. A Joint North America Defense and Homeland Security Strategy could provide the impetus for positive change. This strategy will revise existing treaties, laws and agreements and propose new legislation to meet National Security objectives. Only then will true strides be made for the United States and Canada to jointly combat terrorism.

Fifth, information sharing with Canada is the best in the world. But the U.S has the challenge of integrating “33 classified agency systems in the federal government, but none of them link their raw data together. We could have and should have had better data—fusion on and before 9-11.”<sup>55</sup> Currently the Transportation Security Agency is working with 90 federal departments and agencies in the development of an International Trade Data System for collaboration and information sharing among law enforcement and border security communities to improve flow of international trade. Both governments face the challenge of integrating intelligence information after internal systems have been integrated.

Sixth, multiple warning systems were cited as a failure in response to 9-11. “Federal Aviation Administration failed to include security recommendations when it sent multiple warnings to the airlines. Simple but realistic risk assessment would have improved the odds for avoiding the tragedy of 9-11.”<sup>56</sup> But both governments should focus beyond the air warning system, because of the existing arrangement with NORAD and the expanded coordination with FAA. NORAD serves as the centerpiece:

“NORAD provides aerospace warning and aerospace control for North America. In short, the command monitors any potential air or space threat to the two nations, provides warning and assessment of that threat for both governments and responds defensively to any air-breathing threat to North America.”<sup>57</sup>

The land and sea security continue to suffer without an integrated command. The United States has placed the Coast Guard, now is under the Department of Homeland Security, to confront the sea battle and has tapped the National Guard for the land battle, which is under the control different state governors unless federalized. Both organizations are required to serve two masters in the fight to protect the Homeland.

Finally, this shared strategies will open the door for bilateral and multilateral tests and exercises. It will identify critical personnel (with first responders, provincial/state players, military and federal/sovereign officials) and equipment requirements to secure the borders and critical infrastructure. This is a new threat, so new methods must be devised to counter it. Both countries are developing plans and preparations to respond to weapons of mass destruction incidents across borders. A comprehensive strategy can be obtained through the creation of

threat-based scenarios for cross border operations, disaster relief, field testing and capturing lessons learned. Currently, the Homeland Security Department and NORTHCOM are working disjointedly with first responders, international partners, state and local governments, the National Guard, the military and federal agencies in the promulgation of Homeland Defense/Security Strategies. These initiatives should be expanded during the development of a bilateral agreement vetted through the State Department with Canada; they should be the basis for the fielding interoperable equipment.

Canada has joined the United States in the Global War on Terrorism but has recently chosen not to participate in the War on Iraq. The United States must continue to work closely with this ally to identify any terrorist threat that may be directed at the U.S. homeland. Canada continues to be a destination heading south. This vulnerability is only exacerbated by our shared value for an open society which is "open to business, must be open to people – and it's got to be closed to criminals."<sup>58</sup>

## **INTERNATIONAL OVERVIEW**

The United States is the hegemon of the region and the world at the advent of the 21<sup>st</sup> Century. Canada remains a mid-level economic power with a declining military. Both countries will act out of their own self-interest. "Both countries are attentive to the possible renewal of old patterns of great power competition, the axis of evil, and the threat of non-state actors. The two countries continue to broaden their extensive cooperation in the global war"<sup>59</sup> on terrorism and homeland defense with the Smart Borders Plan. They continue to develop strategic plans to take into consideration trends and threats which indicate problems on the economic, military and diplomatic fronts with Canada.

Indeed, the post-Cold War international environment seems to invite or require a fundamental rethinking of the meaning of national security, homeland defense and foreign relations. Both governments must prepare to deal with a wide range of security issues. The diplomatic front requires a fuller integration of first responders with civil-military authorities, domestic-international, defense-security, government-industry, and air-land-sea. Fuller integration within and across borders will enable both countries to defend themselves during a complex reign of terror, carried out in the shadows by many agents, most of them unidentified.

In the final analysis, the U.S. must acknowledge the "limits of a superpower; the U.S. enjoys undisputed military power, but cooperation is in its best interest."<sup>60</sup> Joseph Nye has articulated a concise, well-reasoned argument for an American foreign policy that works in concert with other nations - rather than unilaterally. Even in the wake of September 11, the U.S.

should pursue a multilateral approach for homeland defense. This means gaining the support of middle powers to dedicate resources and expand their security roles. We face a new threat that will only be defeated through joint planning, bilateral agreements and cooperative security. One has to question if the United States is overreacting both at home and abroad with the Global War on Terrorism and the strike against Iraq. Canada signed up for the Global War on Terrorism, but not the strike against Iraq. To retain legitimacy, The United States will need to balance its response to the events of 9-11 in a spirit of humility and address a domestic agenda, rather than exporting our democratic values to every nation on the earth.

## **STRATEGY FOR THE FUTURE**

In light of September 11<sup>th</sup>, we must redefine our international relations with Canada. We must focus efforts and resources on those areas most at risk. We continue to be haunted by threats that can arrive across our borders. We realize that our country has become a battleground, and Americans understand that the security of the United States is the most important vital interest. Lack of time to develop and apply technology base is one of the biggest risks from this new threat. We are dealing with a non-state actor; he is an elusive enemy already planning multiple attacks over an extended period of time. We are members of a democratic society; our government must be responsive to the people. The current administration has provided the vision and funding to a new organizations to deal with the problem. A change in administration could imminently impact resources dedicated to identifying the terrorist threat and the federal response to crises. Our open society continues to provide avenues for terrorists to enter our country and assimilate into society. Once the public feels secure, we may not provide sufficient federal resources dedicated to combating terrorism, limiting the proliferation of WMD, and eliminating transnational threats. We always have to remember that the United States is “vulnerable not only to external attack but to hostile forces among us who enter our country easily, who remain anonymous, and who use the freedom American affords to plan and execute violent deeds.”<sup>61</sup> Thousands of trained terrorists remain at large in North America, South America, Europe, Africa, the Middle East and across Asia. “Our enemies are working to obtain chemical, biological, radiological and nuclear weapons for the purpose of wreaking unprecedented damage to America.”<sup>62</sup>

We have flexible coalitions with Canada, but they must be strengthened to achieve Homeland Defense objectives. But our two countries must establish collective priorities to achieve a common security on the continent to combat threats. Our democratic hemisphere is challenged to integrate and advance security, prosperity, opportunity, and hope among all

nations through an agreed upon defense. The complexity is vast because of all the governmental players involved on both sides of the borders and the requirements for two government bureaucracies to address new threats. The United States has established two new organizations to combat the new threats post 9-11. The new Department of Homeland Security and new command must provide organization structures devised to combat terrorism, defend the homeland and provide security between allies. A study has been directed by the 2002 National Defense Authorization Act to conduct a "rigorous examination of the evolving threat environment, our success in the global war on terrorism, and the evolving national homeland security strategy."<sup>63</sup> We can achieve greater cooperation and stronger hemispheric security by considering the following options:

The **first** course of action (COA) is to continue a bilateral approach to cooperative security with Canada. A Partners in North America committee member argues against a trilateral agreement with Mexico, because "we can trade in a tripartite way, but in military terms the reality is that the defense of North America is primarily American and secondarily Canadian and American."<sup>64</sup> Teaming United States and Canada can serve as model for two democratic states working together to protect one another from a common enemy. Canada believes that "day-to-day defense and security in North America will undoubtedly remain a bilateral issue at least in the medium term."<sup>65</sup> This COA focuses on expanding intelligence sharing capabilities to identify threats and risks in the formulation of a bilateral planning document on Homeland Defense. This planning document requires both nations to jointly focus on the defense of North America and come to consensus on key tenets. This comprehensive strategy will then serve as the foundation for each government to plan and allocate resources. This strategy defines the roles and responsibilities of both nations in defense of North America. The risk in this COA is that comprehensive strategy takes too long for the bureaucrats to develop. Because the threat is imminent, the planning cycle should be accelerated wherever possible. A separate bilateral agreement should also be developed with Mexico. The cooperative work of two allies toward a common strategy provides legitimacy for both governments.

The **second** course of action is to establish a trilateral approach for cooperative security. Canada agrees "with the existence of a North American economic community, which is likely to deepen in the future, this leads some to argue that a trilateral security and defense partnership in North America would be the natural development."<sup>66</sup> President Fox of Mexico called for the development of a "North American Security Policy that would include coordinating border policies, and sharing immigration and customs information. The United States and Canada did not take up this suggestion; they focused instead, in interest of speed, on using existing and



extensive bilateral channels in increase security in their countries.<sup>67</sup> Canada believes that “trilateral approach to security relations in North America will become increasingly obvious over the longer term.”<sup>68</sup>

The third course of action is a multilateral approach to cooperative security in the entire Western Hemisphere. This would allow the United States to expand trade and security in the region. The challenge here would be to get multiple countries to agree upon a strategy to protect the Western Hemisphere all the way from Chile to Canada. If the battle against drug trafficking is any indication, the ability to achieve consensus among all these nations would be exponentially more difficult. Yet the multilateral approach could provide the means to incorporate multilateral institutions in managing the complex security and economic initiatives the U.S. seeks in the Americas. Both countries can work with regional institutions like the Summit of the Americas, Organization of American States, and Defense Ministerial of the Americas for the promotion of a democratic hemisphere where integration advances security and prosperity. In the negotiation of the Free Trade Area of the Americas Agreement, cooperative security and economic development will be factors.

The best option would be to implement the **first** course of action by means of a bilateral agreement with Canada because of its short-term gains and long-standing relationship with Canada. These two democracies would join in a comprehensive and coordinated effort to win the war against terrorism. The bilateral agreement would provide a joint strategy to counter this threat by maximizing powers of both nations to protect the North America continent. It would enable both governments to establish priorities against threats, balance risks, and remain responsive to their constituencies. The terrorist attacks of September 11 continue to motivate the “United States to address its vulnerability, not only by improving domestic security measures, but also by emphasizing immediate security cooperation within North America, and within the Americas over the longer term.”<sup>69</sup> The second and third course of actions are for the long-term to incorporate Mexico, Central America and South America. This is when the United States can expand to Multilateral Security Cooperation with stable, democratic regions.

## CONCLUSION

“September 11<sup>th</sup> taught us, to our regret, that our people and our territory remain vulnerable to attack.”<sup>70</sup> The two countries are at a crossroads. They must enhance national security along the borders, but remain open to trade and visitors. Within two weeks of 9-11, the President of the United States and the Prime Minister of Canada “understood the need to act, but also the fact that our people will never, never consent to live life looking over their shoulders

in fear. That they will insist on living according to our values of freedom and openness, not on terms dictated in the shadows.”<sup>71</sup> by terrorists. Both nations must keep up the momentum and continue to work as friends to build better relationships for continental defense and homeland security. There is a delicate balance between trade and security with an emphasis on economic prosperity for both nations. NAFTA enabled Canada to be the number one trading partner with the United States. The Free Trade Area of Americas provides the opportunity for both countries to expand to new markets, deepen economic interdependence, establish cooperative security and strengthen democratic values in region while reaping the benefits of economic prosperity. Canada is compromised by its linkage to the United States and our foreign policies in the Middle East, which causes resentment of the Americans and western culture. This alliance is required because of the threats against the United States, and Canada indirectly. We know that new security measures will be developed to counter the threat with technology. Success will be attained only by diminishing the threat, responding to crises and improving relations between two national governments, states, provinces, cities, institutions, international partners, organizations, businesses, hospitals and first responders to combat terrorism. The relationship will always be strained by sovereignty issues, national interests, and the changing role of governments, as they tackle the new threats. The borders are just the first front. Then both countries need to address interior enforcement and terrorists hiding within and beyond the shadowland. Washington should continue to work toward the goal of hemispheric security in its relationship with Ottawa, which can serve as a model of two nations working together to defend and secure the northern part of the continent.

WORD COUNT = 9,876



## ENDNOTES

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<sup>3</sup> Dave McIntyre, "*The National Strategy for Homeland Security: Finding the Path Among the Trees,*" Commentary, 23 July 2002.

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<sup>6</sup> Bernard Patry, Partners in North America Strategy: Advancing Canada's Relations with the United States and Mexico, Ottawa, ON; The Government of Canada, Report of the Standing Committee on Foreign Affairs and Trade, December 2002, 182.

<sup>7</sup> Lisa M. Seghetti, Border Security: U.S.-Canada Border Issues- CRS Report to Congress, Congressional Research Service, 8 July 2002. pg. 2

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<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> George W. Bush, National Strategy for Homeland Defense, Washington D.C.: The White House, 16 Jul 2002.

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<sup>22</sup> Ibid. pg 6

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